

2007-14 RHNA Frequently Asked Questions

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Regional Housing Needs Allocation-related Questions

When and how will the proposed methodology for the upcoming (4th) Regional Housing Needs Allocation be developed?

The Housing Methodology Committee comprised of elected officials, city and county members, and stakeholder representatives will advise ABAG staff regarding potential allocation methods beginning in May, 2006. ABAG staff will subsequently provide a recommended regional allocation methodology to the ABAG Executive Committee to be approved no later than December 31, 2006.

Why did the State of California grant ABAG an extension for the upcoming revision of the Regional Housing Needs Allocation (RHNA)?

To facilitate better coordination between RHNA, related forecasting and projection processes and development of MTCs 2008 Regional Transportation Plan.

What is ABAG's role in the RHNA process?

As the Council of Governments for the nine Bay Area counties, state law requires ABAG to "determine the existing and projected housing need for its region" by allocating the regional housing numbers provided by the State of California Department of Housing and Community Development.

Are there other aspects of RHNA or the Housing Element update processes that ABAG is responsible for?

Although, ABAG is not responsible for certification or enforcement of Housing Elements, ABAG works with its member jurisdictions and regional housing advocates to advance viable solutions to the Bay Area's housing crisis and to assist jurisdictions with housing element compliance.

Many jurisdictions in the Bay Area are thought to be "built out." How can these communities meet their respective housing allocations with little or no land left to develop?

Large and small communities throughout the Bay Area have successfully identified under-utilized, infill sites for housing development. In the last (3rd) RHNA allocation cycle, numerous Bay Area communities were able to meet their jurisdictional housing allocation exclusively through the identification of infill sites to provide for future housing needs.

Housing Element-related questions

What is the due date for updated Housing Elements in the nine-county Bay Area for the upcoming RHNA allocation cycle?

June 30, 2009

Does newly constructed housing need to be deed-restricted to be considered affordable (very low, low or mod-income) if the initial sales price/rent is set at an affordable level?

Newly constructed units do not have to be deed restricted or otherwise regulated to count toward the jurisdiction's share of the regional housing need. Newly constructed units may be credited to the appropriate income group based on the affordability of actual sales prices and rents of the units. There is no need for the locality to document that such units are actually sold or rented to households at the designated income level.

What agency is responsible for the certification of Housing Elements?

The California Department of Housing and Community Development (HCD)

What agency is responsible for determining what constitutes an affordable housing unit?

The California Department of Housing and Community Development (HCD)

What agency is responsible for the enforcement of Housing Element law?

The California Department of Housing and Community Development (HCD)

Is there a specific methodology that must be utilized to determine affordable prices/rents?

Government Code section 65400 does not include provisions to require a specific methodology for determining affordability.

What are the penalties for not having a certified Housing Element?

Some public agencies and private foundations will not provide funding for housing and redevelopment-related projects to jurisdictions that do not have a certified Housing Element. Jurisdictions lacking certified housing elements have faced lawsuits from housing advocacy and social equity organizations.

Are mobile homes considered affordable housing?

Mobile homes can be considered affordable housing. HCD policy is applied to a mobile home unit in the same manner as any other housing unit type.